

EXHIBIT A

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

DONNA CURLING, *et al.*

Plaintiffs,

v.

BRAD RAFFENSPERGER, *et al.*,

Defendants.

CIVIL ACTION

FILE NO. 1:17-cv-2989-AT

DECLARATION OF MICHAEL BARNES

Pursuant to 28 U.S.C. § 1746, I, MICHAEL BARNES, make the following declaration:

1.

My name is Michael Barnes. I am over the age of 21 years, and I am under no legal disability which would prevent me from giving this declaration. If called to testify, I would testify under oath to these facts.

2.

I currently am the Director of the Center for Election Systems, Office of Secretary of State Brad Raffensperger ("CES"). I was formerly Director of the Center for Election Systems at Kennesaw State University ("KSU"), which was an outside contractor with the Office of the Secretary of State, from 2010 until December 31, 2017. Beginning

on January 1, 2018, all elections functions that were previously performed at KSU were moved to an internal department in the Office of the Secretary of State. I first began working at CES KSU in 2005. Prior to that time, I was the Assistant Director of Elections for the Georgia Secretary of State, and in that position I directed the State of Georgia's transfer to a uniform system of voting, i.e., direct-recording electronic voting machines ("DREs").

3.

There are two different numbers used to identify DREs used in an election. The first is a serial number on the DRE unit itself, which is fixed and unchanging. The second is a "Machine ID" that is part of the programming for each election, and can change for each election. The Machine ID can change from election to election because it is created and assigned when information from the GEMS Database on a particular memory card is inserted into a DRE and programs the particular DRE for use in an election. The particular Machine ID assigned to a DRE for an election depends on the order that memory cards are programmed, starting with Machine ID zero.

4.

Those wishing to find out which DRE was used in a particular precinct in a particular election have to go through one of two processes, both of which are manual and not computerized.

5.

The first method of locating a DRE is to utilize a manual review of the "DRE Recap Sheet" or a "Daily Recap of Absentee Voting on TS Machines," where the serial number of each DRE used in a precinct or early-voting site is recorded by hand. A copy of those recap sheets are returned by counties to the Secretary of State at the end of each election.

6.

The Secretary stores those paper documents by county, but not necessarily in any order because they are combined with numerous other election documents for each election. If an individual pulled every recap sheet for a particular election, he or she could assemble a list of DREs used by precinct by manually entering the handwritten information into a database.

7.

The Machine ID for a particular election is assigned to the DRE unit when the memory card is inserted into the particular DRE unit during the Logic and Accuracy (L&A) process for a particular election.

8.

In a subsequent election, the same DRE unit may be programmed with a different Machine ID. For example, in one election, a DRE unit with a serial number of 12345 may be identified in the GEMS Database as Machine ID 11. In the next election, the same DRE unit with a serial number of 12345 may be identified in the GEMS Database as Machine ID 12.

9.

There are two locations where the Machine ID would be connected to a particular serial number for a DRE unit. First, for each election, counties might record the Machine ID on the L&A checklist form (but are not required to do so). Those checklist forms are for the use of the county and are not returned to the Secretary of State.

10.

Second, the Machine ID and serial number appear on the tapes printed from each DRE unit on election night after the polls close. One of the printed tapes is maintained under seal with the Superior Court

Clerk under the requirements of O.C.G.A. § 21-2-500. No tapes are sent to the Secretary of State's office.

11.

In order to take a list of Machine IDs and determine the serial numbers of particular DRE units for a single county, officials would have to either (1) find the L&A checklists for each election and assemble a list from the handwritten materials, or (2) obtain a court order to unseal the records of that county, locate the correct tapes, and then manually enter the Machine IDs and serial numbers for each election.

12.

DREs sequestered by earlier orders in this litigation are maintained by the counties, have not been collected by the Secretary of State's office with the other DREs, and are not stored by the Secretary of State with the other DREs that have been collected from counties as part of the rollout of BMDs.

13.

A list of units by Machine ID tells absolutely nothing about the actual serial numbers of DREs. It is possible that such a list, over multiple elections, would contain a massive number of duplicate serial

numbers, but that cannot be known without additional manual research.

14.

The Secretary of State is currently paying \$36,000 per month to store the DREs, ExpressPoll units, and AccuVote scanners that were collected during the rollout of BMDs.

15.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 1st day of June, 2020.

A handwritten signature in dark ink, appearing to read 'Michael Barnes', is written over a horizontal line.

MICHAEL BARNES